

NOT TO BE PUBLISHED IN OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION ONE

K.K., et al.,

Petitioners,

v.

THE SUPERIOR COURT OF THE
CITY AND COUNTY OF SAN
FRANCISCO,

Respondent;

SAN FRANCISCO HUMAN
SERVICES AGENCY,

Real Party in Interest.

A160612

(San Francisco City & County
Super. Ct. No. JD20-3116)

K.K. (Mother) and E.A. (Father) petition this court for extraordinary review of a juvenile court order setting a hearing to select a permanent plan for their child, F.A. (minor), under Welfare and Institutions Code¹ section 366.26. Both parents contend the juvenile court erred because (1) it denied parents' request for a continuance of the jurisdictional and dispositional hearing, (2) certain jurisdictional findings were not supported by substantial evidence, and (3) the juvenile court improperly bypassed parents for family reunification services. In addition, parents contend the juvenile court's removal order was improper because the San Francisco

¹ All statutory references are to the Welfare and Institutions Code.

Human Services Agency (Agency) did not make reasonable efforts to prevent removal, and Father also claims it was improper because the order was not supported by clear and convincing evidence. We reject Mother's and Father's contentions and deny both petitions.²

I. FACTUAL AND PROCEDURAL BACKGROUND

Shortly after minor was born in April 2020, the Agency filed a petition alleging minor was described by subdivisions (b)(1) and (j) of section 300 because Mother and Father had substance abuse issues that placed minor at risk of harm; Mother and Father had no provisions for minor and were living in a van in San Francisco; parents had nine other children, none of whom were in their care; and parents had recently lost their parental rights as to minor's older brother and their first child together, A.A. The Agency had received a referral alleging severe neglect of newborn minor because Mother received no prenatal care and self-reported using methamphetamines, intravenous heroin, and intravenous fentanyl during her pregnancy. The baby was "having a hard time with withdrawals," and was hypertonic, irritable, hard to soothe, uncoordinated, had high-pitched crying, and was fussy while being fed. He was given morphine for his withdrawal symptoms.

Agency Protective Services Worker (PSW) Andres Rios met with a hospital social worker, who confirmed the information in the referral. The hospital social worker also said Mother reported she " 'shot up in the morning' " before coming to the hospital. Rios spoke with a doctor who observed Mother was sweaty, clammy, and had stomach symptoms when she arrived at the hospital, which were all associated with withdrawals. The

² The Agency filed a motion to dismiss for lack of authorization to file the writ petitions which we deny by separate order.

doctor said it was “‘hard to see.’” Mother told the doctor she used heroin, methamphetamines, and fentanyl during the pregnancy.

Rios met with Mother. Mother confirmed she used heroin every day throughout her pregnancy and had no prenatal care. She also said she used methamphetamines and fentanyl at different points in her pregnancy, but heroin was her drug of choice. Mother told Rios she had been using drugs since she was 14 years old and was homeless and living with Father in a van. Rios also spoke with Father. He denied that Mother was living with him in the van and did not know where she was living. He said that he had never seen her use any drugs and would like her to get into a program.

In addition to minor, Mother had four older children. Minor’s maternal grandmother expressed interest in having minor placed with her. She already had custody of Mother’s two oldest children (ages 11 and 8) and was in the process of adopting A.A. A maternal aunt was in the process of adopting Mother’s five-year-old son. Besides minor and A.A., Father had five older children who lived with their respective mothers. One of his older children had been a San Francisco dependent from 2006 to 2007; her case was dismissed with sole legal and physical custody going to her mother.

Mother stated she was on probation in San Mateo County and had been arrested and served time for a gun charge. Father reported past arrests for possession and sale of a controlled substance, and robbery. He had served time in San Quentin State Prison and in the past was on San Francisco’s gang injunction list.

The Agency assessed that continued detention was crucial to minor’s safety, permanency, and well-being because minor was suffering withdrawal symptoms due to Mother’s substance abuse and parents had lost parental rights to A.A. for similar allegations only five months before. Due to the

exigent nature of the referral, Rios noted that no additional reasonable efforts could be made to avoid removal aside from a child and family team meeting. He was concerned about Father's claim that he never saw Mother use drugs, because Mother disclosed using drugs every day of her pregnancy.

The jurisdiction and disposition report filed by the Agency in early June recommended Mother and Father be bypassed for reunification services pursuant to section 361.5, subdivision (b), and the case be set for a permanency hearing under section 366.26. Minor had been discharged on May 15, 2020, after being in the neonatal intensive care unit (NICU) almost 30 days detoxing from heroin and methamphetamines. He no longer required a feeding tube and was accepting a bottle without a feeding specialist, though he was "a very fussy baby that would get very upset" and required frequent baths to soothe him.

After leaving the hospital, Mother entered a residential drug treatment program at Casa Aviva until she was discharged on May 27. Mother had been placed on "contract" on May 14, when she was found with contraband. She subsequently tested positive for fentanyl on May 18, 22, and 26. When confronted, Mother denied drug use. The program tried to work with Mother, but Mother called Father to pick her up from her group and did not go back to gather her belongings or her phone.³ Given Mother's violations, the program was not willing to allow her to return.

³ A program director at Casa Aviva believed Mother had a second phone and was using it while in the program. When the program director checked Mother's phone, she found the SIM card missing. When the Agency protective services worker spoke with Father, he reported Mother had a phone number and it was the same phone number Mother had while at Casa Aviva.

Agency PSW Michelle Garabedian reached out to Father by phone and was finally able to reach him on June 2. At the time, Father said Mother was not available to speak with Garabedian because she was out to breakfast. They scheduled a virtual call for an hour later to discuss plans for the case but Mother had not returned. They scheduled a Zoom call for the next day, June 3, but were able to speak for just a few minutes before Garabedian had to attend another meeting.

Garabedian reported she was not able to interview Mother because Mother did not make herself available to meet. Garabedian had a few brief phone conversations with Mother, with the last one being the Zoom call on June 3. Garabedian tried numerous times to meet with Mother. While Mother apparently had a phone, she never tried to reach Garabedian. Garabedian's report noted Mother and Father had active warrants out for their arrest. Father told Garabedian he had been taken into custody on his outstanding warrant, made bail, and had a court date in October.

Mother and Father were referred for drug testing on June 8. Father was referred to a fatherhood group at Homeless Prenatal Program and was provided an intake phone number. Garabedian referred Mother to another residential drug treatment program, the Epiphany Center's Residential Recovery Program (Epiphany), and gave Mother the hotline intake number.⁴ Mother had not requested visits with minor, and never began visitation because she did not contact First Stop Visitation Center (First Stop) to complete her intake.⁵ Father completed his intake and had supervised

⁴ Garabedian testified she would have completed the intake process for Mother if she could have, but Epiphany told her due to the COVID-19 pandemic, Mother had to complete the process herself.

⁵ Garabedian told Father on June 5 that Mother needed to contact First Stop to complete her intake so she could start visitation.

virtual visits twice a week, but he had attended only one of three scheduled visits. Garabedian made multiple attempts to speak to the parents, many of which were unsuccessful.

Garabedian spoke with Father on June 5. Father was open about his past drug use and reported he had used cocaine, PCP, LSD, morphine, Norco, Vicodin, and marijuana, but he currently only smokes marijuana. He had completed a drug treatment program during his youth at California Youth Authority. Father had convictions and arrests from 2005 to 2014 related to possession and sale of controlled substances, gang activity, theft/stolen property, vandalism, multiple probation and parole violations, and offenses related to weapons and firearms. Father was sentenced to three years in prison in 2009 for possession of a controlled substance for sale. As of 2018, Father's last arrest was in 2014 for possession of a controlled substance and contempt for violation of a gang injunction. The jurisdiction/disposition report noted Mother also had a long criminal history with convictions from 2011 to 2015 on weapons and firearm charges and drug-related and burglary crimes. Mother served time for conspiracy to commit a crime, possession of firearm and manufacturing/sale of a large capacity magazine, possession of narcotic substances, and possession of paraphernalia.

The Agency concluded parents had not addressed the issues that led to the termination of their parental rights to A.A. and had not demonstrated an ability to provide for minor's basic needs, including food, clothing, and shelter or an ability to keep him safe.⁶ While Garabedian was able to have several short conversations and one long conversation with Father, he told her that

⁶ Garabedian's report did note Father said he had provisions for minor's care which were at his mother's home, and that he and Mother had planned to care for minor.

he was “unsure if he is able to commit to services and what it will take to address his issues.”

On July 8, the Agency filed an addendum report. Garabedian stated there had been no change regarding the parents’ engagement with the Agency or other service providers. Father continued to have supervised virtual visits twice a week, but had attended only three out of ten scheduled visits. Garabedian reported she had called and left messages for both parents as well as sent text messages asking them to contact her but had received no response. Garabedian also sent e-mails to both parents on June 11 and 15 regarding drug testing, to schedule a virtual meeting, and to give Mother Epiphany’s intake number. In the June 15 e-mail, Garabedian also reminded Mother she had not contacted First Stop to schedule visits with minor. Garabedian received no response to the e-mails.

Garabedian spoke with Mother’s probation officer, who confirmed she has not been complying with probation and there was an active warrant out for her arrest.

The contested jurisdictional and dispositional hearing took place on July 27, 2020. Attorneys for both parents requested continuances because their clients were absent; the court denied both requests and found parents had willfully failed to appear. PSW’s Rios and Garabedian both testified about their involvement with the case and the contents of their detention and jurisdiction/disposition reports.

After hearing argument from the parties, the juvenile court sustained the allegations in the petition, removed minor from his parents, found reasonable efforts were made to prevent removal, found that both parents made no progress toward eliminating the need for removal, ordered minor placed with a relative, bypassed the parents for reunification services

pursuant to section 361.5, subdivision (b)(10) and (11), and set the section 366.26 hearing for November 18, 2020. In making its findings, the juvenile court stated, “the same situation or issues that are in place now were also the same situation that occurred [in A.A.’s case], and they do occur in very close proximity to each other with no indication of any type of intervention between those two points in regards to [A.A.] and now [minor].” The court further noted the “constant . . . movement on the part of the agency to keep in contact or try to contact Mom even through Dad, and then eventually there just seems to be a lack of response by both Mother and Father.” The court ordered no visits for Mother and once-a-month supervised visits for Father.

Both parents timely filed writ petitions.

II. DISCUSSION

A. Continuance of Jurisdictional/Dispositional Hearing

Mother and Father both contend the juvenile court erred in failing to grant a continuance of the jurisdictional and dispositional hearing based on oral requests by their respective counsel at the hearing. We disagree.

Under section 352, subdivision (a), the court *may* grant a continuance if it is not contrary to the minor’s interests, and “only upon a showing of good cause.” (§ 352, subd. (a)(2).) Section 352, subdivision (b) provides that a continuance “shall not be granted that would result in the dispositional hearing . . . being completed longer than 60 days . . . after the hearing at which the minor was ordered removed or detained, unless the court finds that there are exceptional circumstances requiring a continuance.” We review the juvenile court’s denial of a request for continuance under an abuse of discretion standard. (*In re Ninfa S.* (1998) 62 Cal.App.4th 808, 810–811.)

Minor was ordered detained on April 30, 2020. At the detention hearing, the juvenile court informed parents of the date of the jurisdictional and dispositional hearing and ordered them to attend. Thus, both parents had actual notice of the hearing date and willfully failed to appear, as the juvenile court found. Further, the dispositional hearing on July 27 was already well beyond 60 days from the detention order and neither parent established exceptional circumstances nor good cause for a continuance. Mother's attorney stated she did not have a reason why her client was not present, but requested a continuance based on counsel's representation that "[h]istorically, she does show up for hearings." Father's counsel likewise did not know why his client was not present, and reported he had tried to reach Father but had not received a response. Moreover, the record reflects that neither parent had been in contact with the Agency since June 5, 2020, despite e-mails, texts, and phone calls from PSW Garabedian. Because neither parent established good cause for a continuance, the juvenile court did not abuse its discretion in denying the requests.

B. Jurisdiction

Both parents also contend the juvenile court erred in exercising jurisdiction because certain allegations under section 300, subdivision (b) were not supported by substantial evidence.

As an initial matter, we reject Mother's and Father's contentions because neither parent challenges the juvenile court's decision to sustain two section 300, subdivision (j) counts. It is well established that when a petition alleges multiple grounds for jurisdiction, we will affirm if any one of the statutory bases for jurisdiction is supported by substantial evidence. (*In re A.F.* (2016) 3 Cal.App.5th 283, 290; *In re Ashley B.* (2011) 202 Cal.App.4th 968, 979.) In addition to several section 300, subdivision (b) allegations, the

juvenile court sustained two subdivision (j) counts against Mother and Father for their abuse and/or neglect of minor's siblings. Between Mother and Father, they had 10 children with various partners—the oldest being 14 years old—and neither parent had custody of any of the children. The jurisdiction/disposition report noted that minor's sibling, two-year-old A.A., had been detained based on general neglect allegations arising from intrauterine drug exposure, both Mother's and Father's parental rights as to A.A. had been terminated, and A.A. was to set to be adopted in November 2020. The juvenile court found true allegations that Mother's and Father's older children had been placed out of their care and both parents had lost their parental rights to their first child together (A.A.) in November 2019. Here, Mother's and Father's failure to challenge these subdivision (j) allegations provides sufficient basis for us to affirm the juvenile court's exercise of jurisdiction.⁷

Moreover, as we will explain, substantial evidence supports the section 300, subdivision (b) allegations. Mother contends the jurisdictional allegation that minor was suffering drug withdrawals at birth is “contrary to the evidence before the Court” because neither Mother nor the baby tested positive for illegal drugs after the baby was born. Mother also observes the baby was born premature and PSW Rios could not answer whether the baby's

⁷ Although Mother makes the cursory assertion that “losing parental rights for her other child, should not have, in [and] of itself, been enough to sustain jurisdiction in this case,” she does not explain why not. The record reveals two-year-old A.A., like minor, was removed from Mother and Father because of concerns about their drug abuse, and that they had failed to reunify with him and their parental rights had recently been terminated. Evidence that Mother had failed to reunify with minor's sibling, A.A., supported a finding minor was also at risk, particularly given the strong evidence that Mother continued to have serious drug abuse issues.

symptoms of crying and fussiness might be related to premature birth. Finally, Mother asserts her visits with baby in the hospital ameliorated the need for minor's removal and the juvenile court's jurisdiction.

Mother's attempt to cull a few ambiguous facts from this record to challenge the jurisdictional findings is unavailing.⁸ The record reflects minor suffered from drug-induced medical complications that required serious intervention. He was in the NICU, received shots of morphine to combat withdrawal symptoms, required a feeding tube and feeding specialist, and was hypertonic, irritable, hard to soothe, uncoordinated, fussy while being fed, and had high-pitched crying. PSW Garabedian noted in her report that he remained in the NICU for almost 30 days detoxing from heroin and methamphetamines.

Further, Mother told PSW Rios that she had been using drugs since the age of 14, used heroin every day of her pregnancy, smoked methamphetamine two weeks before the birth, and had no prenatal care. She told a doctor she had used heroin, methamphetamines, and fentanyl during her pregnancy, and told a hospital social worker that she "shot up" the morning she delivered minor. Mother's and Father's parental rights as to A.A. had recently been terminated, based on similar allegations regarding drug abuse. Five weeks after minor's birth, Mother was discharged from her residential substance abuse treatment program after testing positive for fentanyl three times, but denied she was using drugs. On this record, substantial evidence supported the finding that Mother had substance abuse issues that placed minor at risk of abuse and/or neglect.

⁸ For example, Mother states, "Neither the mother nor baby tested positive for illegal substances after the birth of the baby," but points to no evidence in the record they were tested for drugs and tested negative.

Father challenges the juvenile court's order sustaining two section 300, subdivision (b) allegations as to him: (1) that Father had a substance abuse issue that placed minor at risk of abuse or neglect, and (2) that he and Mother lacked provisions to care for the baby and were living in a van in San Francisco.⁹ Father asserts there was a lack of substantial evidence he had a *current* substance abuse issue because his drug-related conviction was from 2009, he had successful visits with minor in the hospital, he was open with PSW Garabedian about his past, and his participation in a residential treatment program when he was a juvenile was many years ago.

As Father told Garabedian, he had a past history of drug abuse beginning at age 15, including use of ecstasy, PCP, cocaine, LSD, morphine, Norco, Vicodin, and marijuana. The record also reflects he had several arrests and felony convictions related to possession of controlled substances from 2005 to 2014 for which he served time in prison. Minor was detained in part based on concerns about Father's substance abuse, but Father was referred to drug testing in June 2020 and refused to participate. When PSW Garabedian asked him how he could just stop using after a long history of abuse, he told her, " 'If I want to do it, I will go back and do it. I am just choosing not to right now.' " Moreover, Father admitted his parental rights had been terminated in November 2019 due to concerns about his ongoing drug use. Though he claimed he did everything he could to reunify with A.A., the court terminated reunification services at the six-month review after Father made insufficient progress toward alleviating the issues that caused A.A.'s removal.

⁹ Mother does not challenge this allegation, which as noted, was also found true as to her.

As to the allegation that the parents did not have provisions for minor, Father contends he told PSW Garabedian that he and Mother had provisions they had collected for A.A. and those items were with his family, but Garabedian did not follow up. Father does not, however, address the allegation that he and Mother were living in a van in San Francisco, nor explain how he would have been able to care for minor and provide for his needs. Regardless, as explained above, we will affirm if any one of the jurisdictional findings is supported by substantial evidence.

In sum, ample evidence in the record supported the juvenile court's jurisdictional findings.

C. *Removal*

Both parents also challenge the juvenile court's out-of-home placement order. Mother claims removal was improper because the Agency did not make reasonable efforts to prevent removal. Father asserts the juvenile court's removal order was not supported by clear and convincing evidence based on the same arguments he made regarding jurisdiction.

Before a dependent child is removed from parental custody, the juvenile court must make one of five specified findings by clear and convincing evidence. (§ 361, subd. (c).) Here, the juvenile court removed minor because the court found there was "a substantial danger to the physical health, safety, protection, or physical or emotional well-being of the minor if the minor were returned home," and there were no reasonable means for protecting minor's physical health without removing minor from parental custody. (*Id.*, subd. (c)(1).)

Our Supreme Court recently clarified the standard of review on appeal when the clear and convincing standard of proof applied at trial. "[W]hen reviewing a finding that a fact has been proved by clear and convincing

evidence, the question before the appellate court is whether the record as a whole contains substantial evidence from which a reasonable fact finder could have found it highly probable that the fact was true. Consistent with well-established principles governing review for sufficiency of the evidence, in making this assessment the appellate court must view the record in the light most favorable to the prevailing party below and give due deference to how the trier of fact may have evaluated the credibility of witnesses, resolved conflicts in the evidence, and drawn reasonable inferences from the evidence.” (*Conservatorship of O.B.* (2020) 9 Cal.5th 989, 995–996 (*O.B.*); see *In re V.L.* (2020) 54 Cal.App.5th 147, 154–155.)

Mother argues the juvenile court’s finding that efforts were made to prevent removal is erroneous because reasonable services were not provided to her. Mother contends she found and enrolled herself in a residential drug treatment program, after she was discharged from that program PSW Garabedian did not call the program to advocate for her to be able to stay, Garabedian only called one other residential program and e-mailed the phone number to Mother but did not make any other referrals to other drug treatment programs for her, and Garabedian admitted she “did not attempt a long search for [M]other or attempt to contact the maternal grandmother to inquire as to [M]other’s whereabouts.” Father also makes a brief argument that the Agency did not meet its burden to show reasonable efforts were made to prevent removal because the first referrals were not made until Father received a “parenting/fatherhood group referral” on June 4 and a drug testing referral on June 15, and the COVID-19 pandemic affected Father’s ability to access services.

The parents’ characterization of the evidence does not accurately reflect the efforts made by the agency in this case. The first protective services

worker assigned to parents' case, Rios, testified that he received the case as an "immediate response referral," meaning he was required to see the family within two hours. He contacted Team Lily at Zuckerberg San Francisco General Hospital, and spoke with all of the people at the hospital who were working with Mother. Rios interviewed Mother and tried to support her with her referral by Team Lily to Casa Aviva through motivational interviewing. Rios scheduled a child and family team meeting before the April 30 detention hearing. Rios connected Father to an advocate with A Better Way, but there is no evidence Father followed up or participated in the program.

PSW Michelle Garabedian replaced Rios on the case. Garabedian testified she worked with Casa Aviva to figure out their plan for Mother when she left the program after three positive drug tests. Garabedian also said one of the program directors at Casa Aviva, Dina Jenkins, "was fighting her management" to see if they could keep Mother because Jenkins "really did not want to lose this mom" and wanted her to come back. Garabedian referred Mother to another residential treatment program, Epiphany, and contacted them on her behalf. When Epiphany told Garabedian that Mother would have to contact them and quarantine because of COVID-19, Garabedian gave Mother the hotline intake number.¹⁰ Garabedian also attempted to arrange visitation for Mother but was never able to because Mother did not respond to First Stop, or to Garabedian's calls to complete her intake. Garabedian referred Father to visitation, drug testing, and a fatherhood program. Though Father participated in some visitation, his attendance was sporadic.

¹⁰ Garabedian testified she would have done the intake herself, but was not able to due to COVID-19.

Garabedian also reported she was unable to interview Mother because Mother did not make herself available to meet virtually with Garabedian other than a few brief conversations. Although Mother apparently had a phone and gave Garabedian her e-mail address, Mother did not respond to attempts to reach her by phone, text, or e-mail.¹¹ Garabedian left voice messages on June 4 and 11, scheduled Zoom appointments, and sent e-mails about various subjects, including drug testing, scheduling virtual meetings, arranging visitation for Mother, and the referral to Epiphany, on June 3, 11, 15, and July 16 and 23. She reported she moved to e-mails after Father stopped answering her phone calls, and that Mother never contacted her after their June 3 Zoom call.

Given Mother's failure to communicate with the Agency following her discharge from the residential drug treatment program despite multiple efforts from the Agency protective services worker to reach her, Mother cannot show that additional efforts to provide further services or referrals would have eliminated the need for removal. While Father spoke with the protective services worker three times and attended three out of ten scheduled visits with minor, he has not shown he made any effort to drug test, participate in the fatherhood/parenting group to which he was referred, or respond to Agency attempts to contact him after June 5.

Father incorporates by reference his arguments regarding the juvenile court's jurisdictional findings to argue the court's removal findings were not supported by clear and convincing evidence. We reject his argument for the reasons we have already discussed. Substantial evidence in the record supported a finding that Father had a current substance abuse problem and

¹¹ Garabedian also testified she asked Father and Mother's sister, who was caring for minor, to have Mother get in touch with her.

he was living with Mother in a van in San Francisco. Moreover, both parents' parental rights as to minor's older sibling had recently been terminated, and they failed to demonstrate any sustained effort or progress in addressing the issues that led to that dependency.

Viewing the evidence, as we must, in the light most favorable to the juvenile court's finding, we conclude a reasonable trier of fact could have found it highly probable that return of minor to Mother or Father would pose a substantial danger to his health and well-being, and that there were no reasonable means to protect him without removing him from parental custody.

D. Bypass for Reunification Services

Both parents contend the juvenile court erred by bypassing them for reunification services under section 361.5, subdivision (b)(10) and (11) based on their failure to reunify with A.A., termination of their parental rights as to A.A., and their failure to make a reasonable effort to treat the problem that led to his removal.

Generally, when a child is removed from parental custody, the juvenile court is required to provide reunification services to the parents to eliminate the conditions that led to removal and facilitate reunification of the parent and child. (*Jennifer S. v. Superior Court* (2017) 15 Cal.App.5th 1113, 1120 (*Jennifer S.*)). However, the Legislature has expressed its intent, particularly with regard to young children, “ ‘that the dependency process proceed with deliberate speed and without undue delay.’ ” (*Ibid.*) Thus, section 361.5, subdivision (b) exempts from reunification services “ ‘ “those parents who are unlikely to benefit” ’ [citation] from such services or for whom reunification efforts are likely to be ‘fruitless.’ ” (*Jennifer S.*, at p. 1120.) The statutory

sections authorizing denial of such reunification services are known as “bypass” provisions. (*Id.* at p. 1121.)

We review the juvenile court’s order bypassing reunification services under section 361.5, subdivision (b) for substantial evidence, bearing in mind the clear and convincing evidence standard of proof below. (*Jennifer S.*, *supra*, 15 Cal.App.5th at pp. 1121–1122; *O.B.*, *supra*, 9 Cal.5th at pp. 995–996.) In doing so, we do not make credibility determinations or reweigh the evidence, and we review the entire record in the light most favorable to the juvenile court’s order. (*Jennifer S.*, at pp. 1121–1122.)

Substantial evidence supports the juvenile court’s determination that bypass of reunification services was appropriate in this case. Minor was very young, less than six months old at the time of the dispositional hearing. Parents do not dispute that they failed to reunify with A.A and their parental rights to two-year-old A.A. were terminated only six months before minor was born, based in part on the same concerns regarding drug abuse that led to the dependency in this case. Mother left her residential drug treatment program after testing positive three times, Father refused to be tested for drugs, and neither parent communicated with the protective services worker about nor participated in any services or referrals for almost two months leading up to the jurisdictional and dispositional hearing. Both parents denied having a drug problem. Garabedian testified that Mother never visited with minor after leaving Casa Aviva, never asked about minor, and never even set up an intake appointment to begin visiting minor. Father, though he visited minor three out of ten scheduled visits, stopped communicating with the protective services worker and made no efforts to address the problems that led to the dependency. (See *Jennifer S.*, *supra*, 15 Cal.App.5th at p. 1124 [bypass was appropriate where juvenile court could reasonably infer from evidence in

record that Father had a continuing drug problem].) Father told the protective services worker he was “unsure if he is able to commit to services” or “what it will take to address his issues.”

Father also contends the court may order reunification services if the parent can show reunification services are in the best interests of the child under section 361.5, subdivision (c). While we have no doubt that Father loves minor, he points to no evidence in the record that reunification services would be in the *child’s* best interests. (*Jennifer S., supra*, 15 Cal.App.5th at p. 1124 [it is parent’s burden to prove that minor would benefit from reunification services].) On this record, the juvenile court did not err in bypassing both parents for reunification services.

III. DISPOSITION

Mother’s and Father’s petitions for extraordinary writ relief are denied on the merits. Their requests for a stay of the section 366.26 hearing are denied as moot. The decision is final as to this court immediately. (Cal. Rules of Court, rules 8.452(i), 8.490(b)(2)(A).)

MARGULIES, J.

WE CONCUR:

HUMES, P. J.

SANCHEZ, J.

A160612

K.K. v. Superior Court